



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/732,753	12/10/2003	Rahim Allagheband Zadeh	020713CON	6555
26285	7590	06/05/2006	EXAMINER	
KIRKPATRICK & LOCKHART NICHOLSON GRAHAM LLP			KING, ANITA M	
535 SMITHFIELD STREET			ART UNIT	
PITTSBURGH, PA 15222			PAPER NUMBER	
			3632	

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

This is the fifth office action for application number 10/732,753, Vertical Slide Clip, filed on December 10, 2003. This application is a continuation of application number 09/912,098, filed July 24, 2001, now U.S. Patent No. 6,688,069.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 4,261,593 to Yeager in view of U.S. Patent 5,885,024 to Zupan et al., hereinafter, Zupan. Yeager discloses a bracket (25) capable of connecting a pair of building components together, the bracket comprising: a first connector plate (77) having one or more fastener holes (82) therethrough; a second connector plate (79) integrally connected to the first connector plate; a juncture formed between the first and second connector plates; at least one substantially linear stiffener channel (89,90) disposed in the first connector plate; and one or more rows of fastener-receiving holes (81) extending through the second connector plate and being disposed within a stiffener region, each of the one or more rows of holes being substantially parallel with the adjacent one of the one or more rows of holes.

Yeager discloses the claimed invention except for the limitation of at least one stiffener disposed in the juncture. Zupan teaches a bracket (10) having a first connector plate (19) having one or more fastener holes (20) therethrough, a second connector plate (14) connected to the first connector plate, and at least one stiffener (18) in a

Art Unit: 3632

junction formed between the first and second connector plates. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the junction in Yeager to have included the stiffener as taught by Zupan for the purpose of providing a means for strengthening the bracket.

Allowable Subject Matter

Claims 1-6, 16-21, 30, 31, 37, and 50-62 are allowed.

Response to Arguments

Applicant's arguments filed March 16, 2006 have been fully considered but they are not persuasive. The rejection advanced against claim 32 stands.

In response to applicant's argument that Yeager is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Yeager invention is drawn to a bracket for connecting a pair of components together and is fully capable of connecting a pair of building components together.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the

Art Unit: 3632

references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Zupan is used to teach the limitation lacking in Yeager, i.e., the at least one stiffener disposed in the juncture and since both references are drawn to brackets used to connect a pair of components, it would have been obvious to combine Yeager with Zupan to provide a means for strengthening the bracket which is generally known in the art.

In response to applicant's argument that Yeager does not disclose one or more rows of holes disposed within a stiffener region, the region wherein the holes are disposed in Yeager may be broadly construed as a stiffener region, applicant does not further define exactly what the stiffener region entails and thus, Yeager meets this limitation. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 4,932,173 to Commins

U.S. Patent 5,555,694 to Commins

U.S. Patent 5,670,076 to Leek

U.S. Patent 5,732,519 to Leek

U.S. Patent 6,796,099 to Georges et al.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (571) 272-6817. The examiner can normally be reached on Monday-Thursday.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Anita M. King
Primary Examiner
Art Unit 3632

May 30, 2006